



Food and Agriculture
Organization of the
United Nations



International
Plant Protection
Convention

REPORT

Expert Working Group on the use of specific import authorizations (2008-006)

**Virtual meeting
1-5 February and 11 February 2021**

IPPC Secretariat

FAO. 2021. *Report of the meeting of the Expert Working Group on the use of specific import authorizations (2008-006)*. Published by FAO on behalf of the Secretariat of the International Plant Protection Convention (IPPC). 34 pages. Licence: CC BY-NC-SA 3.0 IGO.

The designations employed and the presentation of material in this information product do not imply the expression of any opinion whatsoever on the part of the Food and Agriculture Organization of the United Nations (FAO) concerning the legal or development status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. The mention of specific companies or products of manufacturers, whether or not these have been patented, does not imply that these have been endorsed or recommended by FAO in preference to others of a similar nature that are not mentioned.

The views expressed in this information product are those of the author(s) and do not necessarily reflect the views or policies of FAO.

© FAO, 2021



Some rights reserved. This work is made available under the Creative Commons Attribution-NonCommercial-ShareAlike 3.0 IGO licence (CC BY-NC-SA 3.0 IGO; <https://creativecommons.org/licenses/by-nc-sa/3.0/igo/legalcode>).

Under the terms of this licence, this work may be copied, redistributed and adapted for non-commercial purposes, provided that the work is appropriately cited. In any use of this work, there should be no suggestion that FAO endorses any specific organization, products or services. The use of the FAO logo is not permitted. If the work is adapted, then it must be licensed under the same or equivalent Creative Commons licence. If a translation of this work is created, it must include the following disclaimer along with the required citation: "This translation was not created by the Food and Agriculture Organization of the United Nations (FAO). FAO is not responsible for the content or accuracy of this translation. The original English edition shall be the authoritative edition."

Disputes arising under the licence that cannot be settled amicably will be resolved by mediation and arbitration as described in Article 8 of the licence except as otherwise provided herein. The applicable mediation rules will be the mediation rules of the World Intellectual Property Organization <http://www.wipo.int/amc/en/mediation/rules> and any arbitration will be conducted in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL).

Third-party materials. Users wishing to reuse material from this work that is attributed to a third party, such as tables, figures or images, are responsible for determining whether permission is needed for that reuse and for obtaining permission from the copyright holder. The risk of claims resulting from infringement of any third-party-owned component in the work rests solely with the user.

Sales, rights and licensing. FAO information products are available on the FAO website (<http://www.fao.org/publications>) and can be purchased through publications-sales@fao.org. Requests for commercial use should be submitted via: www.fao.org/contact-us/licence-request. Queries regarding rights and licensing should be submitted to: copyright@fao.org.

1. Opening of the Meeting

1.1 Welcome by the IPPC Secretariat

- [1] The IPPC Secretariat (hereafter referred to as “the Secretariat”) opened the meeting and welcomed all participants to the meeting of the Expert Working Group (EWG) on the Use of Specific Import Authorizations. The attention of the EWG members was drawn to the main task for the EWG – elaboration of an annex to ISPM 20 (*Guidelines for a phytosanitary import regulatory system*) – and thanks were given to Argentina for offering to host the meeting (when it had been planned as a face-to-face meeting) and to Japan for proposing the topic in the first place. The Secretariat highlighted the differences between an international standard and an implementation guide, and advised the EWG that although it was not the task of the EWG to revise ISPM 20, if revisions to ISPM 20 were identified during the course of the EWG meeting, these comments would be noted in the report.
- [2] The Steward for the draft annex, Mr Ezequiel FERRO (Argentina), who is also the Standards Committee (SC) Chairperson, welcomed all participants and thanked them for offering to take part in the EWG. The participants then all introduced themselves.

1.2 Presentation of the Standard setting process and the role of participants

- [3] The Secretariat explained the process for finalizing the report of the meeting, and gave a presentation summarizing the Standard setting process¹.
- [4] The Secretariat also outlined the roles of the EWG participants, explaining that the experts contribute as global experts rather than as national or regional representatives.

2. Meeting Arrangements

2.1 Selection of the Chairperson

- [5] The EWG selected Ms Dorothy WAYSON (United States of America) as Chairperson.

2.2 Election of the Rapporteur

- [6] The EWG selected Ms Bussakorn MPELASOKA (Australia) as Rapporteur.

2.3 Adoption of the agenda

- [7] The EWG adopted the Agenda (Appendix 1).

3. Administrative Matters

- [8] The IPPC Secretariat introduced the Documents list (Appendix 2) and the Participants list (Appendix 3). The Secretariat invited participants to notify the Secretariat of any information that required updating in the Participants list or was missing from it.

4. Review of Specification

4.1 Considerations for the development of the draft annex on the use of specific import authorizations to ISPM 20

- [9] The Steward introduced Specification 64², and outlined some considerations for the development of the draft annex³. He referred to ISPM 20 and the role of specific import authorizations (SIAs) in the phytosanitary regulatory framework of contracting parties, noting that in ISPM 20 such SIAs are linked with import permits and licences. Some countries use SIAs to communicate the phytosanitary import requirements of regulated articles. Some use them mostly in relation to consignments of plants imported

¹ 11_EWG_IA_2021_Feb

² Specification 64: <https://www.ippc.int/en/publications/82243/>

³ 12_EWG_IA_2021_Feb

for special purposes (e.g. for scientific purposes or for use as biological control agents). Others use them for plants or plant products for consumption or processing, or for plants for planting. ISPM 20 refers to SIAs, but does not give detailed guidance, so the aim of the draft annex would be to provide international guidance on the use of SIAs. The Steward then drew the attention of the EWG to the various tasks specified in Specification 64.

[10] The Steward suggested that the EWG focus on four main concepts before progressing to the detailed drafting of the text for the annex:

- In relation to the concept of SIA: How is the concept of SIA understood? Does everyone understand it in the same way? Providing examples would help the analysis.
- In relation to the application of SIA: How or when are the different SIAs used? For what type of regulated articles are SIAs used (considering that some countries do not require import permits and other ones routinely require them)?
- In relation to the consignee of SIA: Who are the SIAs aimed at (national plant protection organizations (NPPOs), importers, exporters, etc.)?
- In relation to the transparency role of SIA: How would SIAs be communicated to the consignee, or how will the consignee access or become aware of the SIA?

[11] The Chairperson thanked the Steward for his presentation and noted the four concepts for later discussion.

5. Review of Discussion Papers

5.1 Discussion paper on the use of specific import authorization (prepared by Japan)

[12] Mr Teppei SHIGEMI (Japan) presented a paper from Japan on the use of SIA⁴.

[13] He started by describing the use of SIAs in Japan, where general import authorization (GIA) is used for normal and routine imports. Specific import authorization, with the issuance of import permits, is used only for prohibited articles being imported for special purposes such as research.

[14] He then gave a brief overview of the use of SIAs in other countries, distinguishing three groups: countries where no import permit is required in principle (except when prohibited articles are exceptionally imported for research or other specific purposes); countries where import permits are required for a specific type of plants (e.g. plants for planting); and countries where import permits are required for various types of plants.

[15] Mr SHIGEMI introduced the EWG to the detailed comments in the paper addressing the various tasks set for the EWG in Specification 64. He highlighted that, contrary to the guidance in ISPM 20, some countries continue to require SIAs for a wide range of articles even when the import of these articles becomes routine. He suggested that the scope of the draft annex should clearly state that SIAs are only for phytosanitary purposes, not for other purposes such as commercial purposes. He outlined nine specific aspects of SIAs that would benefit from harmonization and detailed guidance, ranging from aspects of transparency and the language in which import permits are written, to guidance on fraudulent import permits. He then highlighted suggestions made in the paper regarding transparency, gave some examples of situations when the use of SIAs may be appropriate, and suggested what should be the minimum elements of an SIA and a standard model for an SIA. Finally, he provided comments on the period of validity of SIAs, the circumstances under which SIAs could be developed into GIA, and the responsibilities of the NPPOs of importing and exporting countries.

[16] The Chairperson thanked Mr SHIGEMI for his presentation.

⁴ 07_EWG_IA_2021_Feb

5.2 Implementation of phytosanitary import authorizations in Argentina

- [17] Ms Beatriz Sara SPREAFICO (Argentina) presented a paper on the implementation of phytosanitary import authorizations (AFIDIs, in Spanish) in Argentina⁵.
- [18] She explained that in Argentina there are General Import Regulations and Specific Regulations for Phytosanitary Import Authorizations. All articles regulated for phytosanitary reasons require an AFIDI. Management of AFIDIs is carried out in a computer system, with an online pre-import interface. Only importers registered with the Federal Administration of Public Revenues can use this self-management system. The validity period of AFIDIs depends on the intended use of the regulated article: up to 60 days for articles intended for consumption; and up to 270 days for articles intended for propagation. Once issued, the system allows the approved AFIDI to be downloaded as a PDF, which includes a QR code and a unique identifier number for document validation. The NPPO of Argentina is engaged in a programme of continuous improvement of the system, adapting to new available technologies.
- [19] The Chairperson thanked Ms SPREAFICO for her presentation.

5.3 Australia's approach for the use of import permits

- [20] Ms Bussakorn MPELASOKA (Australia) presented a paper on Australia's approach to the use of import permits⁶.
- [21] In Australia, the phytosanitary legislation groups imported goods into three broad categories: permitted goods that pose no risk or an acceptable risk, such as highly processed goods, for which there are no phytosanitary requirements; prohibited goods that pose an unacceptable risk and for which there are no viable measures to reduce the risk to an acceptable level (although there are not currently any plants or plant products in this category); and conditionally non-prohibited goods that pose a risk, but for which phytosanitary measures can be imposed to reduce the risk to an acceptable level. The import legislation sets out generic conditions, referred to as "alternative conditions", for some of these latter goods, which can then be imported into Australia without an import permit provided they meet the alternative conditions. Goods for which alternative conditions are not set out in the legislation require an import permit.
- [22] Ms MPELASOKA outlined the types of plants and plant products that currently require an import permit. These include: plants and plant products intended for research purposes; plants for planting or for propagation; restricted seed species (requiring specific import conditions such as pathogen testing or post-entry quarantine); all genetically modified material; all plant-based animal feeds, fertilizers, soil conditions, growing-media and supplements; fresh fruits and vegetables when trade has only just begun from that country of origin; some timber products; and biological control agents, live organisms and live cultures. In rare circumstances, import permits are used to manage non-compliance, such as for import of cut flowers from countries that use a systems approach rather than treatments and have a high rate of non-compliance. In these cases, the import permit would contain control measures along the export pathway.
- [23] She then drew the attention of the EWG to a list of purposes for which Australia might use an import permit, including assessing whether applicants are fit and proper persons (because there have been problems with illegal imports) and allowing applicants to view the draft import conditions and confirm, in advance of the import being issued, that they can meet all the import conditions.
- [24] Turning to the administration of import permits, Ms MPELASOKA explained that the import permit is valid for one to two years, except for very special occasions when a permit might be issued for one consignment or for a very short period of time when import requirements specified on a permit are being trialled. The point of shipment, point of entry, means of conveyance, name of exporter or import quantity

⁵ 10_EWG_IA_2021_Feb

⁶ 05_EWG_IA_2021_Feb

are not given on the import permit, except in rare cases when these aspects are needed for the assessment and determination of import conditions.

[25] The Chairperson thanked Ms MPELASOKA for her presentation.

5.4 Specific import authorizations in Brazil

[26] Mr Tiago Rodrigo LOHMANN (Brazil) presented a paper on SIAs in Brazil⁷. He explained that, in Brazil, regulated articles for which a pest risk analysis (PRA) has been conducted can be imported without an import authorization, this being classed as GIA. For regulated articles that require quarantine, an SIA is required. Regulated articles can be imported for a range of purposes, such as for scientific research, plant propagation material for cultivation, for production of seeds or for own use, and regulated articles with quarantine provided by means of specific phytosanitary requirements. Regulated articles that can be imported through an SIA include any plant, plant product, soil and any other organism, object or material capable of harbouring or spreading pests that are believed to be subject to phytosanitary measures. In certain cases, an SIA may be issued without a quarantine requirement.

[27] The Chairperson thanked Mr LOHMANN for his presentation.

5.5 United States of America phytosanitary import permits

[28] Ms Dorothy WAYSON (United States of America) presented a paper on the use of SIAs by the NPPO of the United States of America⁸.

[29] She explained that the NPPO issues SIAs (permits) for plants and plant products, timber, plant pests and biological control agents for various purposes including human and animal consumption, and soil. All of the authorizations include phytosanitary measures, such as treatments or packaging requirements. The NPPO works with other NPPOs on a bilateral basis to develop operational work plans to mitigate the pest risk before export.

[30] There are a few types of articles (e.g. loose wood packaging material) that can be imported under GIA, whereby the importer does not need to apply for a specific written or electronic permit although they do need to comply with any requirements that are required in the regulations or in the NPPOs' manual. Some commodities are authorized without permits, these being commodities with a long-standing history of safe imports (e.g. sterile orchid cultures and fully processed fruits and vegetables). These products are described in the NPPO's import manuals and are inspected at the port of arrival and then released.

[31] For some commodities, the NPPO has streamlined the regulations to include performance standards or performance-based phytosanitary measures, and these are used for SIAs for plants for planting and fruits and vegetables. Import of plant pests and biocontrol organisms is restricted: it is only permitted for certain purposes such as research, and quarantine requirements apply.

[32] In terms of administration, Ms WAYSON introduced two online systems operated by the NPPO: a web-based electronic permit system that allows users to apply for and receive automated permits and to apply for renewals and amendments, and a database of requirements for fruits and vegetables that is accessible by anyone anywhere to search.

5.6 Criteria used by Chile to issue specific import authorizations

[33] Ms Tamara Isabel Gálvez REYES (Chile) presented a paper on the criteria used by the NPPO of Chile when issuing SIAs⁹.

⁷ 08_EWG_IA_2021_Feb

⁸ 09_EWG_IA_2021_Feb

⁹ 06_EWG_IA_2021_Feb

[34] She explained that regulated articles imported under the Chilean NPPO's GIA (which is equivalent to an import permit) do not require a licence or an SIA. The NPPO website provides details of the phytosanitary requirements for those regulated articles and places of origin that have a PRA, but where there is not a PRA, the requirements must be requested from the NPPO, who evaluate whether to conduct a PRA or whether an SIA can be issued on a case-by-case basis. The NPPO has developed criteria that can be used to assess whether an import qualifies for such an SIA. These include:

- when there are equivalent phytosanitary measures
- when treatments that cannot be performed in the country of origin can be performed at the Chilean point of entry
- when the import is for laboratory research purposes
- for emergency imports, such as in periods of drought or in an earthquake
- to authorize the entry of propagation material that is subject to post-entry quarantine
- to authorize the entry of biological control agents or other biological organisms, such as for research
- to enable packing houses, production sites and quarantine treatments that meet the requirements set out in the work plans agreed with other countries
- imports for which the NPPO requires traceability of the material for a certain period after its entry
- as a requirement set out in general resolutions
- when there are operational inspection or treatment problems at the point of entry
- regulated articles that have a PRA or risk assessment but their import requirements have not been established through an official resolution.

[35] Ms REYES then showed an example of an import permit and highlighted the information contained within it.

[36] The Chairperson thanked Ms REYES for her presentation.

5.7 Import authorizations in the United Kingdom of Britain and Ireland

[37] Mr Samuel BISHOP (European and Mediterranean Plant Protection Organization) summarized the use of SIAs in the United Kingdom of Britain and Northern Ireland. Here, there is a particular import authorization process for articles that are prohibited but being imported for scientific purposes and for regulated articles for which a phytosanitary certificate cannot be obtained for whatever reason. These authorizations are given to the importer. He commented that this raised an interesting question about SIAs: are they addressed to the importer, the exporter, or a combination of both? The European Union operates a similar process and the regional plant protection organization in Europe has some guidance on quarantine confinement and biological control agents.

[38] Mr BISHOP referred to the paper in which he had raised some general points and questions for the EWG to consider¹⁰, and posed a few additional questions. For example: Would SIAs be separate to the electronic phytosanitary certificate (ePhyto) or integrated? What is being harmonized – is the aim to produce a template SIA form, as with the phytosanitary certificate, or just to harmonize the information that is submitted on SIA forms? What should be the period of validity (e.g. is it for one import or for a year)? Would SIAs be used in lieu of a phytosanitary certificate? What is the difference between an import permit and an SIA – is the aim to build on what already exists or develop something new?

[39] The Chairperson thanked Mr BISHOP for his presentation and the questions he had raised.

¹⁰ CRP_01_EWG_IA_2021_Feb

5.8 Phytosanitary import regulations in Uzbekistan, procedure of import permit issuance

- [40] Mr Sultan-Makhmud SULTANOV (Uzbekistan) gave a presentation on the use of phytosanitary import regulations in Uzbekistan and the procedure for issuing import permits¹¹. He explained that to import products of plant origin in Uzbekistan, a quarantine licence is required. The licence contains details of the consignment and the phytosanitary import requirements that it must meet. The imported consignment must be accompanied by the necessary documents, including a phytosanitary certificate. He then summarized the process of import in two flow charts, starting with PRA and then progressing through pre-examination of documents at the border (using a national electronic phytosanitary certificate system), inspection of the consignment and documentation at a temporary storehouse at the border, and subsequent actions in the case of non-compliance.
- [41] The Chairperson thanked Mr SULTANOV for his presentation.

6. Development of Text for the Draft ISPM

- [42] The Chairperson drew the attention of the EWG to the reference documents for drafting ISPMs: the *IPPC style guide* and annotated templates, ISPM 5 (*Glossary of phytosanitary terms*) and the *Guidelines for a consistent ISPM terminology* (in the *IPPC procedure manual for standard setting*)¹².
- [43] The Secretariat introduced the annotated ISPM template, which includes some guidance on annexes, and explained that annexes are used to add highly specific technical information to the standard. The Secretariat highlighted that, when drafting the annex, if a suitable term is available in ISPM 5 then that term should be used; particular attention should also be paid to the use of the words “should”, “shall”, “must”, “may” and “can”. The Secretariat confirmed that there is no template for annexes to ISPMs because each annex is very specific to the particular topic in question.
- [44] The Steward suggested that, before considering the structure of the draft annex, it would be helpful for the EWG to have a discussion about the concept of SIA. For example, different countries may use the same name for different things, and it is important to be clear about what is meant by SIA before drafting text for the annex. Giving an example, he explained that his understanding was that “specific” referred to the authorizations being used for particular regulated articles, intended use, and origin, but that some countries apply the concept for a particular consignment or for a particular period of time. He also suggested that although, in his understanding, SIAs would not be mandatory for contracting parties, if contracting parties choose to use SIAs, then they should follow the annex as an annex is a prescriptive part of a standard.

6.1 Brainstorming session to develop the outline of the ISPM

- [45] The EWG considered a series of conceptual questions about SIA and the related concepts of GIA and import permits.

What is meant by specific import authorization?

- [46] One EWG member recalled that the term “import authorization” is used in only two ISPMs: ISPM 20 and ISPM 38 (*International movement of seeds*). ISPM 20 describes the difference between GIA and SIA, and ISPM 38 refers to exceptions where seeds that are normally prohibited may be imported under an import authorization. However, the guidance in ISPM 20 is very general, which raises the question as to what the difference is between general and specific import authorization – for example, is it that SIA is done on a case-by-case basis? Other questions are: Do all plant imports fall under either

¹¹ 04_EWG_IA_2021_Feb

¹² *IPPC style guide*: <https://www.ippc.int/en/publications/132/>; ISPM 5: <https://www.ippc.int/en/publications/622/>; *IPPC procedure manual for standard setting*: <https://www.ippc.int/en/core-activities/ippc-standard-setting-procedure-manual/>

authorization (general or specific)? What are the reasons for an SIA being used? What is the definition of SIA?

- [47] Prompted by these questions, the EWG members shared their interpretation of the terms “general import authorization” and “specific import authorization”, and their experience of the use of these terms, referring also to the descriptions of general and specific import authorization in ISPM 20.
- [48] There was a general consensus that the term GIA is applied to the first case described in ISPM 20: situations where there are general import requirements but no specific phytosanitary import requirements for the commodity and country of origin in question. There was also general consensus that the term SIA is used for those situations described for SIA in ISPM 20, such as for emergency or exceptional imports, imports with individual import requirements (e.g. post-entry quarantine, or a designated end use or research purposes), or tracing imports after entry, and that in these situations an application would be made to the NPPO of the importing country for an SIA. However, differences were apparent in how EWG members themselves and their respective countries considered articles for which specific phytosanitary import requirements have been established but which do not fall into this latter category. It was also clear that, as recognized in ISPM 20, some countries require import permits for both GIA and SIA, whereas for others it is only for the latter, and some hardly use permits at all.
- [49] The EWG heard that in one country, for example, GIA is used for a class of products that have specified requirements. The information about the requirements is in the country’s regulations and is not expected to change. The importer needs to comply with the requirements, and goods are still inspected at the point of entry, but the importer does not need to apply for authorization. For SIAs, the import requirements depend on the country, commodity, and quarantine pest, so are more specific; the information about these requirements is in the NPPO’s manuals, not the regulations, and it can change; and the importer needs to apply for a permit to import.
- [50] One EWG member highlighted that GIA does not mean that there are no phytosanitary import requirements, but just that no application for authorization is required. In this regard, the EWG recalled that ISPM 20 describes GIA in situations “where specific phytosanitary requirements have been established”. This was supported by another EWG member, who explained that in their country, specific phytosanitary requirements have been established for a wide range of commodities, based on PRA; these form the bulk of all imports and are classed as GIA, although all imports are still inspected upon arrival. This was in contrast with the distinction between GIA and SIA taken in the earlier example given.
- [51] One EWG member gave a hypothetical example of a specific phytosanitary import requirement resulting in a GIA: there may be different requirements for table grapes from one country compared to another country, because of a difference in pest risk specific to the country of origin, but that does not mean that an SIA is needed, provided those specific requirements can be incorporated clearly into the general requirements.
- [52] Another EWG member commented that SIA is used when specific phytosanitary requirements have *not* been established.
- [53] The EWG noted that clarity was needed in the use of terminology when distinguishing between general requirements and GIA.

Import permits

- [54] The EWG had a wide-ranging discussion about import permits: whether permits can be used in GIA or just SIA, and the difference between SIAs and permits.
- [55] The EWG referred to the ISPM 5 definition of “import permit”, noting also that “licence” is not defined in ISPM 5:

import permit official document authorizing importation of a commodity in accordance with specific phytosanitary requirements [ISPM 5]

- [56] The EWG discussed whether import permits are used in GIA, SIA or both. Views differed: one EWG member commented that import permits can be used in GIA, but a few others understood that GIA does not require a permit and that import permits are related to SIA. One EWG member suggested that the draft annex could give some scope for flexibility between NPPOs, by saying that an import permit *may* be required for a commodity that requires specific phytosanitary requirements, but commented that this would still be part of SIA not GIA. The member noted that in ISPM 20, section 4.2.2, the wording “specific import authorizations, e.g. in the form of a licence or permit” implies that a permit is a form of SIA.
- [57] The EWG also considered the purpose of import permits. It was noted that some countries use import permits simply to communicate the import requirements for the commodity in question. Another purpose is as a tool for enforcement, because the import permit is reviewed by the importer who has to confirm that the import requirements specified on the permit can be met. In some cases, an import permit is also a way of setting import requirements that are specific to a particular import because of commercially sensitive information; for example, when there are processing procedures that a particular entity uses that are confidential, such information cannot be included in the NPPO database or on the NPPO website, but it can be put on an import permit.
- [58] The Secretariat commented that the ISPM 5 definition of “import permit” was adopted in 1995, and the SIA concept came later, so if the EWG thought that the definition of “import permit” needed revision, then the EWG could make a proposal to the SC to task the TPG to work on it.
- [59] One EWG member suggested that it would be better to focus instead on whether an import permit and an SIA are the same or different things, and this was supported by other EWG members. Referring to the ISPM 5 definition, the EWG noted that an import permit is a document, and that the import permit could therefore be viewed as being the *result* of an SIA. However, a few EWG members were of the view that there was still little difference between the two terms – SIA and import permit – as both are required before the import can happen, both set out the requirements, and even if one is the process and the other is a document, a document is needed.
- [60] Another EWG member expressed the view that GIA refers to situations where phytosanitary import requirements have been agreed with exporting countries, and SIA refers to special cases where there is still no agreement or where risk management is specific to that case; however, an import permit is still necessary for both GIA and SIA, because both cover regulated articles. A further EWG member agreed that an import permit can apply both to GIA and SIA, but recalled that, according to ISPM 20, once the requirements are established, then it should be GIA; the member’s understanding was therefore that GIA refers to situations where requirements are *published*, although publication is not referred to in ISPM 20. This prompted one EWG member to suggest that GIA is a way of an NPPO making its import requirements known (online or otherwise), but no application needs to be made and the requirements apply to all countries rather than being bilaterally agreed; in a second set of situations, where an extra layer of control is needed, an SIA (which may take the form of an import permit) would be needed.
- [61] At this point in the discussion, therefore, there was still not a clear consensus of what the difference is between GIA and SIA, and between an SIA and an import permit.

Who are specific import authorizations aimed at?

- [62] The EWG considered to whom SIAs or import permits are addressed, and shared their experiences. In some countries, the SIA or import permit is addressed to the importer, either because it is the importer who applies for the SIA, or because the importer has the responsibility to manage the articles after import. However, the permit may also be made available to the NPPO of the exporting country, because otherwise they cannot issue a phytosanitary certificate, and to border officers in the importing country for their information.
- [63] One EWG member, however, commented that any instruction on an import permit is always addressed to the NPPO of the exporting country, but that the requirements may be directed to either the NPPO (e.g. regarding the need for a phytosanitary certificate), the exporter (e.g. regarding treatments) or both,

depending on the requirements for that consignment. But the most basic import permit would be just addressed to the NPPO of the exporting country.

Who is the audience for general import authorization?

- [64] One EWG member commented that GIA refers to situations where phytosanitary requirements have already been established, so the requirements should be published and the main audience is the NPPOs of exporting countries.

Types of regulated articles for specific import authorizations

- [65] **Commonly issued import permits.** There was a general consensus within the EWG that there were certain commodity groups for which import permits are commonly used, and other classes of commodities for which some countries use permits but other countries do not. Examples of the former included plants and plant products imported for research or scientific purposes (because the specific phytosanitary requirements may depend on the specific type of research), biological control agents, exhibitions (e.g. large tree specimens for horticultural exhibitions), trialling of new varieties, and crime investigations.
- [66] **Derogations.** One EWG member commented that an importing NPPO may also grant derogations (i.e. exemptions) to an individual exporting country, to allow import when trade in a particular commodity from that country is just starting. The member also expressed the view that the draft annex to ISPM 20 should not limit the types of articles that can be covered by SIA, as it could be any regulated article.
- [67] **Range of commodities.** One EWG member queried what is meant by “range of commodities” in the context of GIA in ISPM 20: “general import authorizations may be used ... where specific phytosanitary import requirements have been established permitting entry as set out in the regulations for a range of commodities”. In the member’s country, requirements are set depending on the product, origin and intended use. The Steward responded that his understanding from the comments of other EWG members was that SIAs could relate to a category of commodity. Another EWG member commented that regardless of the intended use, anything can be the subject of an SIA; the basic idea is that SIA applies to anything that is not covered by established phytosanitary requirements.

Types of situations covered by SIAs

- [68] **Post-entry tracing or post-entry quarantine.** One EWG member recalled that ISPM 20 refers to the use of SIA for imports where the NPPO needs to have the ability to trace the material for a period of time after entry, and another commented that their country uses SIA for commodities requiring post-entry quarantine.
- [69] One EWG member indicated that post-entry quarantine is a good example of a situation where an SIA has two audiences: the NPPO of the exporting country (instructions on what the NPPO of the exporting country needs to do regarding a phytosanitary certificate) and the importer (instructions on how to hold the article after import). The member pointed out, however, that the annex should not impose obligations on the NPPO of the exporting country that are related to what happens to a consignment after import (e.g. post-entry quarantine).
- [70] **Emergencies** The EWG Chairperson recalled the reference to the use of SIAs for emergency purposes in the discussion paper from Chile.
- [71] **New information becoming available.** One EWG member reported the use of import permits in situations when new information often becomes available on pest risk. The member gave the example of import permits being required for a few seed species (generally those that are associated with seed-borne pathogens), so that if new information becomes available (e.g. a new pathogen becomes known) and new phytosanitary import requirements for pathogen testing are needed, these can be quickly and easily incorporated into an import permit. The member commented that it is far easier to change an individual permit than it is to change general, published import requirements that are enshrined in

legislation, so import permits can facilitate imports so that import is not disrupted when things have changed.

- [72] **Pest risk.** A few EWG members confirmed that in their countries not all plant products require an import permit and the decision on which species require an import permit will depend on an assessment of the pest risk (e.g. those species for which the NPPO has identified seed-borne pathogens or pathogen transmission in the case of seeds, or it could be all commodities associated with quarantine pests).

Transparency role of specific import authorizations

- [73] The EWG considered how the SIA is used to communicate, and to whom.

- [74] **Audience and what is being communicated.** The Steward commented that, based on the earlier comments made by EWG members, it would appear that SIAs are mostly issued to importers so that the importer knows what the import requirements are, but with the aim that the exporting country would also know what the requirements are. Another EWG member responded that although in some countries it is the importer who applies, in other countries it is the exporter who applies and then passes it onto the importer. The member reiterated the point that an import permit may be aimed at more than one audience – for example, the exporting NPPO, in terms of the requirements to issue a phytosanitary certificate, and the importer, in terms of the requirements for the consignment.

- [75] **Permits and operational work plans.** One example was given of a country using permits to communicate requirements to the importer, but operational work plans to communicate with exporting countries. Details of the permit requirements and information for customs officials are published online in the NPPO's manuals, which are publicly available. The operational work plans are bilateral agreements with exporting countries, and they are published in the federal register; they include what treatments are required.

- [76] **Authenticity.** One EWG member commented that sometimes the information on permits cannot be readily understood when the NPPO of the exporting country receives it, either because the language it is in is not understood by the NPPO of the exporting country, or because it is a copy of a copy of a copy and is no longer clearly legible. This prompted the EWG to discuss the question of how NPPOs know a permit is authentic. A few EWG members reported that their countries do not issue paper permits, only electronic permits, which helps to distinguish authentic permits. In these situations, the problem of legibility would only arise if the importer printed a copy and then made a paper copy of that. However, one EWG member commented that, in their experience, paper copies are more common than information on websites.

- [77] The Steward suggested that perhaps one recommendation from the EWG could be an encouragement for countries to have validation tools for these documents, so they can quickly check the information on the permits. Another EWG member suggested that one of the ways around the authenticity issue is to develop a proforma layout, so that all countries use the same format, and these could be signed and printed. The member acknowledged that although permits would ideally be electronic, this is not an option for all countries because of the expense. This idea was supported by another EWG member, who commented that if each country were to put a single template online, then exporting countries would be able to check on authenticity.

- [78] **Publication of requirements.** The EWG members reported that the import requirements for countries are published on NPPO or government websites. This can be in the form of a searchable database. One EWG member commented, however, that although importing countries should make it clear what types of product require an import permit, in practice it is not always clear.

- [79] **Example of a specific import authorization.** The EWG looked at an SIA example on an official, online database, where the user can search for a particular commodity and country of origin and find the corresponding phytosanitary import requirements that have been agreed upon in bilateral discussions and operational work plans. A PRA is carried out before the import requirements are established, this is then published in the federal register, and the import requirements are established. Importers can then

apply for a permit, which is issued fairly automatically because although the authorization is specific in its requirements, it is not granted on a case-by-case basis. The permit states the requirements that are listed on the website and includes an agreement between the NPPO and the importer that makes the importer liable in relation to the various requirements. Consignments are inspected on arrival by customs officers, under a Memorandum of Understanding between the NPPO and the Customs Office. The customs officers are trained to do this task.

- [80] This example prompted the EWG to return to the question of the difference between GIA and SIA. On the one hand, this example could be GIA because it is not specific to an individual case, and the requirements are established and available for everyone to see. On the other hand, it could be SIA as it relates to a *single* commodity and origin, not a *range* of commodities, whereas ISPM 20 says that GIA is used where specific phytosanitary import requirements are established for a *range* of commodities. The EWG noted that an example of GIA from the same NPPO would be timber treated according to ISPM 15 (*Regulation of wood packaging material in international trade*). One EWG member commented that in their country a similar online system was used: users enter the commodity (species) and the country of origin in the search function, and the phytosanitary import requirements are then displayed, these being based on the PRA. This is classed as GIA, however, and an import permit is not required. The EWG noted that the case under discussion could be an example where specific import requirements become established and it moves from being SIA to GIA. The trigger for the move from SIA to GIA would be if the import permit no longer served a purpose.
- [81] On the question of the purpose of permits, one EWG member commented that when trade for a commodity from a particular country is just beginning, then a permit has a purpose, but once that trade is established, there is less purpose. The EWG member providing the example under discussion speculated that the original thinking for the permit dates from when permits were on paper, but that the main purpose now is that the permits are signed by the importer so the importer agrees to the conditions and the permits are used for compliance. A few EWG members commented that in their countries all established phytosanitary import requirements are published online and no import permits are required for these. One EWG member suggested that the example under discussion is a good illustration of where an import permit is directed to an importer as an agreement on the conditions of import. Responding also to the earlier comment about permit systems being a legacy from the days of paper-only permits, the member speculated that perhaps the ISPM 5 definition of an import permit is also a legacy from paper permits.
- [82] The EWG did not reach a conclusion about whether the example in question should be classed as a GIA or an SIA.
- [83] **Permits.** Returning to the question of import permits, the EWG noted that in ISPM 20 permits are not a requirement for either GIA or SIA, and there is a recognition that some countries use permits to specify general import conditions, but there is also an encouragement to move from SIA to GIA when similar specific authorizations become routine.
- [84] The EWG also noted that it was important to be clear in the draft annex about the difference between an import permit and an SIA. In this respect, one EWG member noted that in Specification 64 it says that an SIA is “an official document authorizing import or transit of regulated articles in accordance with specified phytosanitary import requirements”, which is similar to the ISPM 5 definition of “import permit”. The member made the same suggestion as earlier in the discussion that perhaps an import permit is a form of SIA. Another EWG member concurred that Specification 64 is clear, and implies that an import permit is the same as SIA. The Steward also agreed, and expressed his view that an import permit is just a tool to implement an SIA. The EWG recalled the discussion earlier in the meeting about SIA being a concept and the permit being the end result (i.e. that one is a concept and the other a document) and returned to the matter again when elaborating the text of the annex (see agenda item 6.2).
- [85] Recognizing that the information needed on an import permit is likely to be broadly the same across different countries, the EWG initially agreed to draft a template form (a proforma) for an import permit and one EWG member drafted a template import permit as a possible basis for discussion. This was

superseded, however, by a later decision of the EWG to draft the minimum elements instead (see later in this agenda item and agenda item 6.2).

Approaches used by different countries

- [86] Given the obvious differences in approaches taken by different countries, some EWG members provided further information about the approach in their own countries.
- [87] In one country, an import permit is considered to be a form of SIA. It is the importer who applies for the permit. The permit is issued to the importer, and it is then the importer's liability to ensure that all the requirements specified on the import permit are met. The EWG member suggested the types of articles for which an import permit may be used, based on their country's approach, and the EWG discussed these further when considering the minimum elements to be included in an import permit.
- [88] In another country, the NPPO issues an SIA in the form of an import permit for each regulated article, origin and intended use. The purpose of this permit is to officially communicate to the importer the phytosanitary import requirements. The permit has a period of validity that can be used for a consignment or for a group of consignments. The EWG member referred to the relevant extracts from ISPM 20, and noted that ISPM 20 says that GIAs "*should* not require a licence or a permit" not "*must* not require a licence or a permit", so their country's interpretation is that this allows some flexibility to have licences or permits, or not to have them.
- [89] In another country, there is always an import permit, for both GIA and SIA. GIA is used to refer to situations where the requirements are agreed with exporting countries; SIA is used to refer to special cases where there is not yet agreement with the exporting country or the commodity has a level of risk that needs specific management (e.g. for research purposes, post-entry quarantine, biological control agents, emergency imports). In both GIA and SIA, the authorization includes requirements for specific phytosanitary measures. In this context, the EWG member referred to the ISPM 5 definition of "import permit", which says that an import permit is used for "importation of a commodity in accordance with specified phytosanitary import requirements".
- [90] In another country, SIA is consignment based and intended for a specific product, pest and country of origin. The EWG member suggested that one criterion could be that for products with low and medium risk, no SIA should be applied. Another criterion could be based on whether there is agreement between the importing and exporting country.
- [91] In one country, use of SIA is extremely rare because it is very time consuming to set the licences up, owing to the very stringent requirements that need to be set. Apart from that, everything else is just covered by general, published import requirements.

Review of differences in approaches

- [92] The Steward observed that the only common concept across the various approaches taken by countries appeared to be the period of validity, in that if there is no specified period it is GIA, but if there is a specified period, it is SIA. The Chairperson acknowledged that this was a useful distinction, and confirmed that in her country there is no expiration date for GIA.
- [93] One EWG member emphasized that although, in practice, import permits are used for both GIA and SIA, the idea of a standard is to achieve harmonization of actions and so it was important not to lose sight of the requirement in ISPM 20 that a permit "*should not be required*" in GIA: the task of the EWG was to provide further guidance on SIA in the annex. The member also suggested that SIA could perhaps be renamed as "special import authorization", to avoid confusion with the "specific" in "specific phytosanitary import requirements".
- [94] Another EWG member commented that for SIA the requirements are shared with the importer prior to the permit being issued, whereas with GIA the requirements are already known to the NPPOs of exporting countries and to importers. For SIA, the importer needs to receive an import permit, to ensure that they know what the requirements are and to ensure that they meet them.

- [95] One EWG member emphasized that the annex needed to be clear about what is meant by “general import requirements” and “specific phytosanitary import requirements”.

Discussion about the next steps for drafting the annex

- [96] Drawing this agenda item to a close, the EWG reviewed its progress in exploring the various issues and considered the next steps for drafting the annex.

- [97] **Purposes of SIA.** The Secretariat recalled the purposes for SIA upon which all EWG members agreed: research and scientific purposes; exhibition and educational purposes; diagnostic purposes; post-entry quarantine; emergency aid; assessment of market access; for plant products for which a phytosanitary certificate cannot be obtained for some reason; and biological control agents.

- [98] **Transit.** Referring to the “Reason for the standard” section of Specification 64, which refers to use of SIAs for transit, one EWG member suggested that the EWG consider whether SIAs are needed for transit, and that it might be helpful to refer to ISPM 25 (*Consignments in transit*) when considering the issue of transit.

- [99] **Is an SIA always a permit or licence?** Highlighting the text in ISPM 20 that says “specific import authorizations, e.g. in the form of a licence or permit”, the EWG noted that the “e.g.” means that an SIA does not always have to be in the form of a licence or a permit. One EWG member indicated that there was therefore a conflict between ISPM 20, which essentially says that an SIA *could* be in the form of a document (licence or permit), and Specification 64, which assumes that SIA *is* in the form of a licence or permit.

- [100] **Developing a model or template.** One EWG member suggested that perhaps Task 6 of Specification 64, which refers to a “standard model” of an SIA, does not refer to a document, but could be something published on a website. The Steward responded that Task 6 was about trying to agree the minimum elements that could be included in a form, if an NPPO decided to use import authorization. He therefore suggested that the draft annex should provide guidance on these minimum elements.

- [101] One EWG member expressed the view that, because of the different approaches taken by different countries, it would not be possible to produce a harmonized format retrospectively, so it would better to harmonize what an SIA is and what it would look like (e.g. giving guidance on whether it could be something on a website or a document, rather than aiming for a harmonized document). The member acknowledged that this was a different viewpoint than expressed earlier in the meeting, when suggesting a harmonized document.

- [102] The Steward suggested that, although it might not be possible to agree a template or model form, the EWG could perhaps just draft a description of the minimum elements. This was supported by another EWG member, who commented that there are many ways to do SIAs and import permits, but the purpose of the annex is to provide guidelines that give a basic idea of the minimum elements that countries need to consider. Providing minimum elements would allow harmonization to be achieved. Another EWG member recalled, however, that Task 3 in Specification 64 calls for detailed guidance and commented that a description of the minimum elements might not be sufficiently detailed.

- [103] The Secretariat queried whether a permit is, in effect, a “stamp” that says that the import is allowed. One EWG member responded that in their country an import permit is an official document that authorizes someone to import under the conditions specified on the permit, but that it is only used for those special cases where people need to apply for authorization. Where an import permit is required, the material imported without a permit is considered to be illegally imported and will be rejected.

- [104] Recalling the earlier comment about the “standard model” for import authorization mentioned in Task 6 of the specification, the Secretariat commented that the model could be referring to the *process* of authorization, not necessarily the resulting document. This prompted the Chairperson to suggest that the EWG could brainstorm the minimum elements needed for this process. The Steward thought that it might be quite difficult to draft a model process, as this would vary so much between countries, but that

it would be possible to draft some text about the minimum elements. He recalled that one of the concerns when the topic was originally submitted was that the only way to know the import requirements for some countries was through import permits. One EWG member suggested that it was not necessary to go into detail about the process, but just to say that the document is the result of a process.

[105] By the end of the agenda item, there were still some unresolved conceptual issues, but the EWG members returned to these as they elaborated the relevant parts of the text of the draft annex (agenda item 6.2).

6.2 Elaboration of the text of the draft annex

[106] The EWG drafted an outline for the structure of the annex and then elaborated the content, modifying the structure as appropriate as the draft text developed. In drafting the content, the EWG was mindful of the need to avoid repeating information from the core text of ISPM 20 and the need to include requirements, given that it was an annex being developed, not an appendix. The EWG also agreed that although it was important to recognize the variety of approaches taken by countries, the draft annex should describe what *should* happen (i.e. the requirements), not what *does* happen.

Introductory text

[107] **What is specific import authorization?** The EWG returned to the question of whether the term “SIA” refers to a process, the result of a process, a concept or a document. Recalling the “General recommendations on use of terms in ISPMs” compiled by the Technical Panel for the Glossary¹³, they noted that “authorization” refers to the giving of authority to a person or a body to do something. They agreed, therefore, that “SIA” refers to both the generic concept of giving authority to import and to individual acts of giving authority in the form of, for example, a permit or licence. The EWG also agreed that the ISPM 5 definition of “import permit” was adequate and that there was no need to recommend to the SC that the definition be reviewed.

[108] By way of introducing the concept of SIA, the EWG drafted an opening paragraph explaining that SIA can be used to provide official consent for import of regulated articles prior to export, and giving the three main types of situations in which SIAs may be used: when official consent for import is necessary; when phytosanitary import requirements have not been established; or when import would otherwise be prohibited. For the second of these, the EWG considered whether to say “have not *yet* been established”, but acknowledged that “yet” implies a future change to GIA and it is too early in the draft to introduce this concept. With regard to the opening sentence, the EWG discussed whether to use “authorize” or “provide official consent”, recognizing that they were interchangeable, but opted for the latter to avoid confusion with authorization of entities to perform phytosanitary actions. With regard to “official consent” in the types of situations, the Secretariat sought clarification from the EWG on whether all SIAs are forms of official consent, and, if so, how does “when official consent for import is necessary” differ from the other two types of situations. The EWG acknowledged that all SIAs are forms of official consent and one member indicated “where official consent is necessary” refers to case-by-case consent. The EWG considered whether to refer to “e.g. licence or permit”, as in ISPM 20, but decided against this because the form of an SIA would not be dealt with until later on in the draft annex.

[109] Recalling that ISPM 20 refers to SIA being used on a case-by-case basis, the EWG drafted a sentence to say that SIAs are issued on a case-by-case basis and are tailored to each specific import situation. They also added text about the frequency of consignments to which an SIA may apply, saying that an SIA may be applied to individual consignments or a series of consignments.

[110] The EWG considered mentioning that some countries use SIA based on commodity, country, and country of origin, but decided against including this level of detail.

¹³ General recommendations on use of terms in ISPMs, in *IPPC style guide*: <https://www.ippc.int/en/publications/132/>

- [111] The EWG considered whether to refer to GIAs in the introductory text, to help make the distinction between GIA and SIA clear, but concluded that this would then need an explanation of what GIA is, which would then come before the detailed explanation of SIA. The EWG therefore omitted reference to GIA in the introductory text.
- [112] One EWG member suggested that some text be included regarding the need for consistency in those situations where there are already established requirements but it is necessary to have official consent for import, as it is important that the requirements imposed are consistent with the general requirements that would otherwise apply. Another EWG member commented that many SIAs include both general requirements and specific requirements, so the need for consistency would apply to these as well. However, the EWG agreed, after some discussion, that it was better not to include anything about this in the annex, in case it encouraged contracting parties to use SIAs when GIAs would be more appropriate.
- [113] The EWG considered whether to spell out “specific import authorization” and “general import authorization” in full throughout the draft annex or to abbreviate them, and agreed to use the abbreviations “SIA” and “GIA”.
- [114] **Scope of the annex.** The EWG drafted text to describe the scope of the annex, saying that it provides guidance on the use of SIAs, describes situations when an SIA may be applied, and information that should be included on an SIA. The EWG considered whether to refer to the minimum information that *should* be included and the additional information that *may* be included, so that it would be clear that it was the minimum information that was the requirement, but decided that this level of detail was not necessary at this point in the text as it is just describing the scope of the annex. The EWG therefore just referred to “information that should be included” (which is referring to the minimum information but without saying so explicitly), and then put the text about minimum and additional information in the section about the forms of an SIA.
- [115] The EWG noted that transit is referred to in Specification 64 and considered whether to incorporate transit in the draft annex. They recognized that some countries may issue a transit permit, but noted that this would not be an import permit and that the requirements for transit would be different to those for import. The EWG therefore concluded that the scope of the draft annex should not include transit authorization, and added text to this effect in the draft annex.
- [116] **Non-phytosanitary requirements.** The EWG considered the inclusion of requirements other than phytosanitary import requirements in SIAs, as directed by Task 3 of Specification 64. They recognized that because some plants and plant products pose a risk to both plant and animal health (e.g. plant products intended for animal feed), some countries include requirements that address risks to both plant and animal health in the same import permit, to avoid having to have two permits. They noted that this would only be possible where animal and plant health are managed by the same government entity, although in countries where they were not managed by the same entity, an SIA could possibly say that there may be additional requirements and perhaps include a link to where to find them. However, the EWG concluded that an annex to an ISPM should not include requirements other than those that fall within the scope of the IPPC framework, and so the draft annex to ISPM 20 should not give guidance relating to non-phytosanitary requirements. They considered whether there was even a need to mention non-phytosanitary requirements, as these are not in the remit of NPPOs, but in the end opted to say that while some countries may include requirements other than phytosanitary requirements in their permits or licences, the draft annex addresses only phytosanitary authorizations that fall within the framework of the IPPC.

The forms of a specific import authorization

- [117] The EWG drafted some text recognizing that SIAs vary from country to country and may take different forms, but that by giving guidance on the information to be included in SIAs, the elements of SIA would be harmonized. The EWG discussed whether this harmonization related to the development of SIAs or to the elements of SIAs, and concluded it was the latter.

- [118] **Document or phytosanitary certificate.** One EWG member commented that although a document is the “neatest” form of authorization, the annex could not require this, as the authorization might be done, for example, through a phytosanitary certificate. Another EWG member expressed the view, however, that the import permit and phytosanitary certificate are two different things: an import permit specifies the requirements specific to that consignment, and one of these requirements would be that the consignment needed to be accompanied by a phytosanitary certificate. The EWG noted that, under the IPPC, all imports should be accompanied by a phytosanitary certificate, but agreed that it was not appropriate to refer to a phytosanitary certificate being part of an SIA, as this would be too broad a statement.
- [119] **Is a specific import authorization always a document?** The EWG considered whether an SIA is a document or whether it can be a part of the NPPO’s website. The EWG noted that in an emergency situation a country may issue an SIA on its website and this should not need permits (documents) to be issued (although the question of online publication of SIAs was revisited later in the meeting: see below). The EWG also noted that where an SIA is a document there were alternative forms to permits, such as licences, and one EWG member raised the question of whether any countries use affidavits. The EWG considered that SIAs should not be verbal, as this would not allow the authenticity of the authorization to be verified.
- [120] **Format of permits or licences.** The EWG concluded that, because of the variety of approaches across countries, the annex should not specify a particular format, but should instead say what the minimum elements of an SIA are.
- [121] **Publication of requirements.** A few EWG members expressed the view that if the requirements are published and available to everyone, this sounds like GIA not SIA. However, one EWG member said that in a humanitarian aid emergency, for example, import requirements might be set that relate generally to countries rather than to individual consignments, have a period of validity and are published, and this would still be SIA. The member expressed the view that SIA can be a very broad concept, as it is basically for imports that are not allowed under general authorization requirements. The Secretariat asked whether, as SIAs become GIAs if they continue, this meant that SIAs are temporary in nature, but the EWG member replied that they are not necessarily temporary.
- [122] Later in the meeting, the EWG reviewed the issue of whether online publication of import requirements would be classed as SIA or whether it would simply be a case of phytosanitary import requirements being published online. The EWG agreed that if the authorization is publicly available and not directed at a particular consignee, then it is GIA; but if the authorization is issued on a case-by-case basis, is addressed to a specific consignee, is not published online, and the importer needs to apply for it, then it is SIA. In the case of the publication of requirements in an emergency situation such as a natural disaster, where importers did not need to apply for authorization, this would be classed as GIA not SIA because the authorizations are not being granted to specific consignees.
- [123] **Level of risk.** The EWG considered further the scope of SIAs. One EWG member expressed the view that SIA is for medium- and high-risk imports, can be permanent or temporary, and is often aimed at individual countries or traders within a country (as it would not be possible to apply SIAs for all countries if the scope is for all medium- and high-risk imports).
- [124] The EWG considered the fact that there are differences in how different countries interpret what are low-, medium- or high-risk situations. If the draft annex were to refer to SIA being for medium- and high-risk situations, it could give some examples of situations (e.g. research, biological control) but should not specify what level of risk applies to certain commodities, to avoid impinging on the sovereign rights of countries to determine what level of risk is posed by a particular situation. The EWG discussed whether or not to refer to SIA being for any regulated article or whether to refer just to medium- and high-risk situations, and agreed in the end to opt for the former.
- [125] **Aims of an SIA.** The EWG considered whether to add further text about the aims of an SIA, for example: “The aim of an SIA is to let importers know the updated phytosanitary import requirements for a

regulated article that should be attested by a phytosanitary certificate issued by the NPPO of the exporting country.” They noted, however, that this might not be the only aim of an SIA, because if the only aim is to inform the importer about the phytosanitary requirements then it does not have to be an SIA but could instead be published on the NPPO’s website. The EWG noted that, as well as communicating the phytosanitary import requirements (with no need to say “updated”), the SIA is a legal tool to authorize the import and it is a binding agreement by the importer that they will comply with the requirements. However, to avoid any potential confusion, the EWG did not add any text about the aims at all.

Elements of a specific import authorization

[126] **Consignee/Addressee.** The EWG discussed whether there are any countries where SIAs would be issued to an exporter or to the NPPO of the exporting country, rather than to the importer. The Secretariat recalled a comment made earlier in the meeting about some countries where it is the exporter who applies and then passes it onto the importer. However, the other EWG members had not encountered this in their experience. The EWG concluded that SIAs should be addressed to importers, because the authorization relates to import not export, and compliance with the SIA is aimed at the importer. It would also be the importer who would apply for an SIA. The EWG discussed whether to say that SIAs are *generally* issued to the importer, to allow for situations where this might not be the case, but concluded that “should” was appropriate as the annex should be setting a requirement for the addressee.

[127] The EWG recognized that although the primary focus is on the importer, SIAs may include requirements for the NPPO of the exporting country (possibly making reference to bilateral agreements between the importing and exporting country). They agreed, therefore, that although the SIA should be directed to the importer, the information on the SIA should also be communicated to the NPPO of the exporting country and indeed to the exporter.

[128] **Minimum information.** The EWG agreed that the following information should be the minimum required for an SIA:

- *Phytosanitary import requirements.* The EWG noted that this might include a phytosanitary certificate, but omitted mention of this as it might depend on the specific case. They considered whether to refer to “other requirements” as well as the phytosanitary import requirements, as indicated in Task 3 of Specification 64, but omitted it as this would not be within the scope of the IPPC.
- *Date of issue.*
- *Importer’s information.* This would include name, contact details, and so forth. At one point in the drafting process, the EWG had put this under Additional information rather than Minimum information, because it would not apply if the SIA were published on a website, but subsequently reinstated it under Minimum information, after agreeing that the SIA should be addressed to the importer and that authorizations published online are GIAs not SIAs.
- *Period of validity.* The EWG noted that this is one of the distinguishing features of SIAs. The minimum period could be only one consignment. One EWG member commented that in their country the period is typically six months, and suggested a maximum period of two years. However, the EWG recognized that it is difficult to set a fixed maximum period as the period depends on the commodity and the conditions; in rare cases, the period of validity could also be open-ended. The EWG therefore decided against the annex giving guidance on the maximum period of validity.
- *Description of consignment/commodity.* This would include the scientific name of the commodity, the part of the plant, and so forth, but the EWG omitted mention of these to avoid contracting parties interpreting these examples as being exhaustive.
- *Country of origin and country of export.* Recognizing that the country of export and the country of origin may not be the same, the EWG referred to both of them. The EWG noted that it could be an area not a country (e.g. a pest free area), but as this would be part of the import requirements

rather than the minimum information needed on an import permit, it should not be included in the minimum information.

- *Intended use.*

Additional information. The EWG agreed that the following additional information may be included for an SIA, depending on the particular situation:

- *Identifier/number.* This can be used to check the authenticity of the permit; it would not have to be a number, but could just be the importer's name. If it were a number, it would not need to be a sequential number, as an SIA is not the same as an import permit. There may be situations where countries apply SIAs without a number (e.g. for SIAs in emergencies), but the EWG thought it would be good to encourage countries to use some form of identifier. The identifier would not necessarily need to be unique to each time it is issued, just unique to the type of permit, so the EWG decided against referring to a "*unique identifier*".
- *Quantity (number or weight).* The EWG put this in Additional information rather than Minimum information as quantity is not always required.
- *Entry point.*
- *Information on whether it is single or multiple consignments.*
- *Method of conveyance.*
- *Authorizing officer.*
- *Exporter's information.*

[129] **Language.** The EWG considered text from section 3.2 of ISPM 12 (*Phytosanitary certificates*), which gives examples of what an importing country may require from the NPPO of an exporting country, including that phytosanitary certificates be completed in a specific language or one of its listed languages (but encouraging the use of one of the official languages of FAO, preferably English) and that phytosanitary certificates be completed by typing or, if handwritten, be in legible capital letters.

[130] In the context of SIAs, the EWG noted that an importer would normally use the same language as the NPPO that issues the SIA, so it would be strange to require the SIA to be in a different language, such as one of the official languages of FAO. Similarly, the language of the importing country and the exporting country might be the same. Also, in some countries, the official language in which phytosanitary import requirements have to be published in order for them to be considered an official document is set in law. The EWG recognized, however, that in the case of re-export the NPPO of the new importing country may not understand the language of the original import permit. One EWG member commented that some countries have import permits written in two languages: the local language plus English. The EWG concluded that the NPPO of the importing country may choose the language in which their SIAs are issued, but should be encouraged to also use one of the official languages of FAO, preferably English.

[131] The EWG considered whether to add a requirement that phytosanitary import requirements should be communicated to the NPPO of the exporting country in English, except where bilaterally agreed otherwise. They noted that contracting parties already have an obligation under the IPPC to publish phytosanitary import requirements, but recognized that in the case of SIAs, the phytosanitary import requirements would not be published, because they were addressed to a specific consignee and might contain commercially sensitive information. The EWG agreed that the requirements would not be communicated separately, but would be incorporated into the SIA; the SIA would be issued to the importer, who would then pass this onto the exporter, who would in turn pass it onto the NPPO of the exporting country. The EWG did not therefore include any requirement for the phytosanitary import requirements to be communicated to the NPPO of the exporting country in English.

[132] The EWG agreed not to refer to the legibility of handwritten SIAs in the draft annex as the majority of SIAs are probably produced electronically.

Situations when the use of specific import authorizations may be appropriate

[133] The EWG drafted a list of examples of situations where it may be appropriate to apply SIAs. The EWG discussed whether the list should be of examples or should be comprehensive, and agreed that it would be very difficult for it to be exhaustive. One EWG member recalled that Specification 64 refers to the annex describing situations that *may* be used, which implies a comprehensive list, because if it were just examples then it would be more of an appendix than an annex. The Steward suggested that the EWG develop a list that was as comprehensive as possible. One EWG member also commented that it should not be mandatory for an NPPO to have all the examples listed for SIA.

[134] **List of situations.** The EWG drafted a list included the following situations:

- *Research and scientific purposes.* Examples include infected plant materials for diagnostic purposes, microorganisms, live cultures or other purposes, but the EWG agreed not to give examples but to leave it open.
- *Exhibitions.*
- *Educational purposes.*
- *Religious or cultural purposes (e.g. religious festivals, ancestral customs of native people).*
- *Articles for which the NPPO of an importing country requires the ability to trace and manage for a period of time after entry (e.g. post-entry quarantine, processing).*
- *Emergency situations.* These include situations when humanitarian aid is needed or and when there are pest outbreaks, but the EWG agreed not to include examples so that it would be open for countries to decide what they deem to be an emergency.
- *Biological control agents and other beneficial organisms.*
- *Articles which are not routinely imported.*
- *General import authorizations have not been developed.*
- *It is not possible to develop general measures which can manage the relevant phytosanitary risk.*

[135] **Situations considered but not included.** The EWG considered including the following points in the list of situations, but concluded that they should be omitted:

- *Articles for which a PRA has not yet been completed.* One EWG member commented that this is part of the “definition” of an SIA, but another EWG member commented that if there was no PRA then this would be an emergency control, so urged caution about including it here as it could deflect from the main focus of the annex.
- *Articles for which the phytosanitary import requirements are newly established following completion of a PRA and the importing country needs to monitor and confirm the effectiveness of the import requirements.* This point was subsumed into one on market access that was also being considered (see below), when the latter was expanded to include existing trade as well as new trade. However, the point on market access was subsequently omitted.
- *Articles for which current import requirements are anticipated to be subject to changes.* The EWG discussed whether this would be covered by the bullet point on emergency situations. The EWG member who proposed it pointed out that it was intended to also cover situations where an NPPO knows that it will soon be reviewing the quarantine requirements, as it is easier to change the requirements on an import permit rather than in the legislation. The EWG noted, however, that any requirements may be subject to change, so it might be confusing to have this as one item in the list of situations. The EWG therefore considered whether to capture the concept in the introductory text to the list instead, but in the end agreed upon different wording for the introductory text.
- *Articles for which specific import requirements are needed in addition to general import requirements which are applicable to a wider range of articles within the same class/group.* This point was intended to cover, for example, a situation where general requirements are adequate for the majority of seed species for planting, but some seed species need additional requirements such as pathogen testing, and the NPPO chooses to apply SIAs for these few species to cover the

requirements for pathogen testing, rather than changing the general requirements, to accommodate the frequency with which the requirements for pathogen testing can change. The EWG noted, however, that the reason for an SIA in this case could therefore be viewed as being a change in pest risk or an emerging pest. Alternatively, it could be covered by the bullet point on it not being possible to develop general measures. One EWG member also indicated that this item was a practical way of addressing an issue, and not something for a standard. The EWG therefore omitted this item, but noted that it might be something to suggest to the Implementation and Capacity Development Committee (IC) for inclusion in implementation material.

- *Articles specified in the importing country legislation as requiring an import permit (issued by the NPPO or other government authority).* This point was intended to cover, for example, a situation where an NPPO is required by its domestic legislation to require an import permit for articles of genetically modified material or narcotic substances. A few EWG members were of the view, however, that the EWG needed to be careful, as with any standard, not to stray beyond the scope of the IPPC: the annex needed to focus on those situations when an import permit is required for *phytosanitary* purposes, although it could say that other government requirements may be applicable. One EWG member noted that import of genetically modified material would be covered anyway by the bullet point about articles that an NPPO may need to trace and manage over a period of time. The EWG therefore omitted this item.
- *High risk articles for which risk mitigation is not practical or very difficult to conduct in the importing country and the efficacy of risk mitigation in the exporting country needs to be assessed and confirmed before the import can be authorized.* One EWG member indicated that this situation would be covered by the bullet point about it not being possible to develop general measures. The EWG also recalled that it had agreed earlier not to mention levels of risk. The EWG therefore omitted this item.
- *Plant products for which a phytosanitary certificate cannot be obtained for some reason.* The EWG omitted this because it is covered by the bullet point on import for research purposes.
- *Authorization of places of production, phytosanitary treatments or packing plants.* The EWG concluded that this would be a phytosanitary import requirement in an authorization, but was not a situation in its own right. The EWG therefore omitted this item.
- *As a part of a market-access agreement.* The EWG engaged in extensive discussion about this point, considered various alternatives, and in the end agreed to omit it (see “Market access and equivalence” below).

[136] **Market access and equivalence.** The EWG considered adding a point about market access in the list of situations, to cover situations where a new market access is first approved, the phytosanitary import requirements are newly established, and the NPPO of the importing country wishes to gain confidence that the requirements are effective. The aim in such a situation would be that the SIA would ultimately become a GIA. It would not be needed for all market-access agreements, just when testing out new market access (e.g. when assessing equivalence).

[137] One EWG member commented that, in their country, if the NPPO concludes that a proposed measure is equivalent (e.g. that a cold treatment is equivalent to irradiation), then a permit is not required; but if the measure is not equivalent (e.g. a systems approach rather than a treatment), then the NPPO can use an SIA to authorize import. In the latter case, the import permit would have requirements for monitoring and so forth. Another EWG member suggested, therefore, that perhaps there could be two separate points in the list: one about gaining confidence in the effectiveness of requirements in a new market-access situation and the other about equivalence.

[138] One EWG member suggested that the point refer to “market-access agreements” rather than “new market-access arrangements”, although another member cautioned that the wording should be clear that not all market access arrangements need SIAs.

[139] Further discussion within the EWG revealed that it was difficult to explain these concepts sufficiently clearly to be understandable by all users of the annex. The EWG considered whether to incorporate the

bullet point about market access into the one about it not being possible to develop general measures, but acknowledged that market access is too broad an issue to be just an example of when GIA has not been developed. Another alternative was to incorporate it into the bullet point about articles that are not routinely imported. One EWG member commented that gaining confidence in market-access agreements is not a good example of when an SIA is required, but another member commented that, in their experience, it is the most common use of SIAs. The Secretariat drew the attention of the EWG to the IPPC guide on *Market access*, which says that initiation of market access usually takes the form of written authority from the NPPO, but it may simply take the form of a request for an import permit from one country to another originating from industry or from government sources¹⁴. The Secretariat commented that the guide therefore does link import permits with market access.

[140] Given the difficulties in describing this particular use of SIAs, the EWG agreed that the best approach would be to remove it from the list of situations, and see what comments are made during consultation. The EWG also noted that the use of SIAs for this purpose could, if needed, be referred by the SC to the IC for possible inclusion in implementation material.

[141] **Types of commodities.** In accordance with Task 2 of Specification 64, the EWG considered the types of commodities for which SIAs are used. They agreed that the scope of SIAs was regulated articles and considered whether to just refer to regulated articles, or to list the various types of regulated articles (e.g. plants, plant products, biological control organisms, noxious weeds, plant pests, means of conveyance). One EWG member urged caution about including examples, in case they were misconstrued as being an exhaustive list, but suggested that the EWG could recommend that a table of examples be included in future implementation material developed by the IC. The EWG agreed with this approach, also noting that as “regulated article” is defined in ISPM 5, there was no need to elaborate on it in the draft annex.

Developing and managing SIA systems

[142] In accordance with Task 10 of Specification 64, the EWG considered the inclusion of guidance on how the NPPO of the importing country should manage and establish SIA systems. They discussed the meaning of “systems” in this context and concluded that it was referring to the entirety of the processes involved in developing, managing and issuing SIAs, rather than to IT systems, but noted that this might need explaining in the text of the annex.

[143] The EWG concluded that this issue could be covered in the section on responsibilities of the NPPO of the importing country, so agreed not to have a separate section on it.

Responsibilities

[144] The EWG noted that other ISPMs, including the draft ISPM on audit, have “Responsibilities” (or similar) as a heading.

Responsibilities of the NPPO of the importing country

[145] The EWG developed a list of responsibilities. They noted that the draft annex should avoid repeating obligations from the IPPC (e.g. regarding transparency or using a risk-based approach), and should instead focus on obligations that are specific to SIAs, such as obligations about what needs to be published. The Steward also highlighted that the list should not include responsibilities that relate to import authorizations more generally. The EWG drafted the list on the assumption that SIAs are triggered by receipt of a request (from an importer or an NPPO), rather than being proactively developed. The SIA application would then be assessed, the SIA developed, and the requirements communicated.

[146] **Publish information on regulated articles and intended use for which specific import authorization is required.** The intention of this responsibility, which was listed first because of its importance, was to ensure that importers can find out whether they need to apply for an SIA. The EWG decided against saying “*establish* and publish” because even though the NPPO would need to establish which regulated articles and intended use (i.e. which situations) would require an SIA before it could

¹⁴ IPPC guide on *Market access*: <https://www.ippc.int/en/publications/86036/>

publish them, the act of publishing confirms that the information has been established so it is sufficient to say “publishing”. The EWG also considered referring to the “situations” that required an SIA, but concluded that this might not be clearly understood and that “intended use” was more appropriate.

- [147] The EWG also included a responsibility for the NPPO of the importing country to publish the process by which an applicant can apply for an SIA and publish the application form.
- [148] **Have a process for assessing and developing specific import authorizations.** One EWG member clarified that this responsibility is referring to what the NPPO needs to do when it receives a request for an SIA: the NPPO needs to have a process in place for developing SIAs, so that it can respond to requests without undue delay. As part of this it needs to know how to do an SIA, what to do when it is asked for one, and then what to do in terms of publishing or communicating it. The EWG member illustrated this by means of a flow chart. Another EWG member pointed out that it needed to be clear whether “assessment” refers to the whole process or to individual applications.
- [149] **Consider requests or applications for SIAs, respond, and issue SIAs without undue delay.** The EWG discussed the phrase “without undue delay” and noted that this simply means that the NPPO should not take an excessive amount of time, hence allowing for the fact that it does take a certain, minimum amount of time to conduct the necessary assessments. One EWG member highlighted that “undue delay” is a standard term used in the context of setting up market-access agreements. Another EWG member commented that an NPPO would normally know from experience what type of information is needed to assess the risk associated with an import request and hence to determine the phytosanitary import requirements. The NPPO can therefore specifically ask for this information on the SIA application form, which then helps to reduce the time it takes the NPPO to assess the application and issue the SIA.
- [150] **Ensure authenticity of SIAs.** The EWG considered whether the guidance on authenticity should be in a separate section, but concluded that it was better under the responsibilities section. Drawing upon the text in ISPM 12 in relation to fraudulent phytosanitary certificates, they drafted an initial list of three bullet points to describe SIAs that could be fraudulent: SIAs issued on non-authorized forms; SIAs not dated, stamped, marked or sealed, and signed by the issuing NPPO; SIAs issued by persons who are not authorized public officers. The EWG concluded, however, that this was too much detail to go into a standard, and was more appropriate for implementation material. Furthermore, it would be better to refer to the *authenticity* of SIAs rather than *fraudulent* SIAs, to avoid confusion with fraudulent phytosanitary certificates. The EWG therefore included only a short bullet point in the responsibilities of the NPPO of the importing country.
- [151] **Define the language.** Recalling their earlier agreement that the NPPO may choose which language or languages are used in the SIA, the EWG added a responsibility to define (i.e. decide) the language of the SIA.
- [152] **Publish the official format of the SIA.** The EWG included this in the list of responsibilities to help the authenticity of SIAs to be verified upon import. As with the EWG’s discussion on publishing information on the situations requiring an SIA, the EWG concluded that was not necessary to say “establish and publish”, as if the format is published then that means it has been established.
- [153] **Communicating requirements.** The EWG noted that it was the responsibility of the NPPO of the importing country to clearly specify the phytosanitary import requirements, so that they were not ambiguous. These requirements would be set out in the SIA. In line with their agreement that the SIA would be issued to the importer, who would then forward a copy to the exporter, who would then contact the NPPO of the exporting country, the EWG included a responsibility for the NPPO of the importing country to communicate the requirements (in the form of the SIA) to the importer, and to provide the NPPO of the exporting country, on request, with information to verify the authenticity of an SIA and further clarification as needed.
- [154] **Other responsibilities.** These included the responsibility to ensure the authenticity of SIAs, monitor trade under SIAs, and consider moving SIAs into GIAs when appropriate.

[155] **Text not included.** The EWG considered whether to include a responsibility to notify any significant instances of non-compliance of a consignment, but decided against it as this is a standard requirement for NPPOs (in ISPM 13 (*Guidelines for the notification of non-compliance and emergency action*)), so it is not necessary to include this requirement in this annex.

Responsibilities of the importer

[156] The EWG developed a listed of responsibilities, starting with the responsibility to apply for development of an SIA before export and then to comply with the requirements of the SIA once issued.

[157] The EWG discussed again whether it would be the responsibility of the importer to communicate the SIA to the exporter and the NPPO of the exporting country, but agreed as before that the importer would forward a copy of the SIA to the exporter, who would then forward a copy to the NPPO of the exporting country. The EWG emphasized that the final recipient in this chain of communication is the NPPO of the exporting country, and that it is the SIA itself that is communicated, not the import requirements (although the SIA will contain the import requirements).

[158] The EWG agreed that a further responsibility of the importer would be to notify the NPPO of the importing country of the timing of import or other necessary information, if required.

[159] The EWG then discussed the issue of translation, recognizing that the SIA might not be in a language that the exporting country can understand. They concluded that translation would be the responsibility of the importer because they would know the local language. The EWG therefore added this responsibility to the list.

Responsibilities of the NPPO of the exporting country

[160] The EWG considered whether requirements for the NPPO of the exporting country should be included in the draft annex, but acknowledged that although the NPPO of the exporting country does not have any obligations in terms of the issuance of an SIA, it does have the responsibility to comply with requirements specified in the SIA for the NPPO of the exporting country (e.g. issuance of a phytosanitary certificate if the consignment is compliant with phytosanitary import requirements). The Chairperson also highlighted that Specification 64 (Task 10) says that the EWG should identify the responsibilities of both importing and exporting countries in relation to the use of SIAs.

[161] The EWG noted the importance of communication between the NPPO of the importing country and the NPPO of the exporting country, and that including the responsibilities of both NPPOs in the draft annex should help to emphasize the importance of communication.

[162] One EWG member commented that the responsibilities of the NPPO of the exporting country were not just limited to issuance of phytosanitary certificates, but could also include, for example, notifying the NPPO of the importing country of any changes in pest status (e.g. including any changes to a pest free area) or conducting audits if so required by the SIA. The EWG therefore considered a more extensive list of responsibilities.

[163] **Certify compliance with phytosanitary import requirements.** The EWG recalled that ISPM 7 (*Phytosanitary certification system*) says that the responsibility of the NPPO of the exporting country is to *certify* compliance. They also noted that some of the phytosanitary import requirements specified in the SIA would be the responsibility of the importer not the exporter, so the NPPO of the exporting country would not be able to certify compliance with those requirements. The EWG drafted some text accordingly, making it clear that the NPPO should not need to certify every aspect of compliance with import requirements.

[164] **Obtain the official import requirements of the importing country.** Recognizing that the NPPO of the exporting country would need to know the relevant import requirements pertaining to the SIA before it could certify compliance, the EWG agreed that obtaining this information would be a responsibility of the NPPO of the exporting country.

[165] **Not included.** The EWG considered several other potential responsibilities, but decided against including them in the draft annex:

- *Issue a phytosanitary certificate in accordance with the phytosanitary import requirements specified in the SIA.* This was not included because it is not an obligation that is specific to SIAs.
- *Notify NPPO of importing country about changes in conditions.* The EWG considered the example of an importing country specifying that the articles being imported should come from a pest free area; in this case, the NPPO of the exporting country should notify the NPPO of the importing country of any changes in pest free area status. However, the EWG agreed that this would be covered by the responsibility to certify compliance with phytosanitary import requirements, so did not include it as an additional responsibility.
- *Take appropriate action in cases where the consignment does not comply with phytosanitary import requirements.* The EWG decided against including this because the NPPO's responsibility in the context of the annex to ISPM 20 is with regard to certifying compliance, and the NPPO would not certify compliance in such cases.
- *Communication with the importer.* The EWG concluded that this was not a responsibility of the NPPO of the exporting country.
- The EWG concluded that several other potential responsibilities were already covered by the draft text being developed or duplicated guidance in ISPM 7, so omitted them.

[166] This resulted in only two requirements for the NPPO of the exporting country: to obtain the official import requirements of the importing country under SIA, and to certify compliance.

Responsibilities of the exporter

[167] The EWG drafted a list of three responsibilities for the exporter: to obtain an authentic SIA from the importer; to submit a legible SIA and communicate the import requirements to the NPPO of the exporting country; and to apply for export certification from the NPPO of the exporting country.

General import authorization

[168] The EWG considered where best to place the guidance on GIA in the draft annex and concluded that a logical order would be to start with SIA, including what it is and the various elements of it, and then provide guidance on when an SIA becomes a GIA. The EWG therefore put it at the end of the draft annex.

[169] The EWG initially drafted an opening paragraph drawing upon material from the core text of ISPM 20 to explain what GIA is. However, they noted the need to avoid duplication and to only include information that is additional to that in the core text of ISPM 20, and so concluded that a cross-reference to the core text would be sufficient.

[170] **When specific import authorization becomes general import authorization.** Considering Task 9 of Specification 64, the EWG considered the circumstances under which an SIA could be developed into a GIA. Initially, the EWG acknowledged that, owing to the difficulties in providing guidance on this issue, perhaps all that could be said is that wherever possible an SIA should become a GIA, but that there are some situations, such as import of prohibited articles for research purposes, that would never become a GIA. However, as the draft annex was elaborated and the concepts clarified, the EWG were eventually in a position to draft the following examples:

- when SIAs become routine (i.e. if SIAs have been issued multiple times throughout a certain period)
- when an SIA has been issued as a result of a pest outbreak but the situation continues in the exporting country and appropriate phytosanitary measures have been established
- when import requirements are established based on a new or revised PRA, finding of scientific evidence or development of effective phytosanitary measures.

[171] The latter of these examples was included to cover situations where an SIA is set up with new phytosanitary import requirements and those requirements (or the phytosanitary measures contained therein) are then subsequently demonstrated, either through scientific evidence or through a period of safe trade, to be sufficiently effective to warrant the establishment of a GIA.

Review of Specification 64

[172] The EWG reviewed progress with the tasks in the specification at various points in the meeting, acknowledging that not all the tasks needed to result in draft text in the annex.

[173] **Task 1: Analyse the provisions for specific provisions for specific import authorization in existing ISPMs and provide examples of a general and a specific import authorization, as needed.** The Steward clarified that Task 1 and Task 2 in Specification 64 are just for general discussion among the EWG and did not necessarily need to result in text (e.g. examples of GIA and SIA) in the draft annex. In their earlier discussions (agenda item 6.1 and the paper from Japan¹⁵), the EWG had identified that import authorization is referred to in only two ISPMs – ISPM 20 and ISPM 38 – and had considered the provisions contained in these two ISPMs. EWG members had provided examples of GIA and SIA in their respective countries.

[174] **Task 2: Consider the current use of different forms of specific import authorization (e.g. licenses, permits) as well as types of commodities for which they are used.** The EWG had drafted a section in the draft annex on the forms that an SIA may take and had agreed that SIAs may be used for any regulated article (see agenda item 6.2). They had also suggested that a table listing commodity types could be included in future implementation guidance.

[175] **Task 3: Propose aspects of specific import authorization that would benefit from harmonization and detailed guidance.** During their development of the text for the draft annex (see agenda item 6.2), the EWG had considered all the aspects listed in this task, namely the elements of the authorizations, the scope of regulated articles for which the authorizations are used, the option for electronic authorization, inclusion of requirements other than phytosanitary import requirements, and addressees of the authorizations.

[176] **Task 4: Consider how the use of specific import authorizations may affect the way contracting parties meet their obligations to publish their phytosanitary import requirements and how these authorizations relate to the published general requirements.** The EWG considered that this task was probably intended more for discussion than requiring text to go into the draft annex. During the meeting, the EWG had discussed the publication of import requirements and several examples had been given by EWG members from their respective countries (see agenda items 6.1 and 6.2). This had revealed some examples of SIAs being published online, either in individual emergency situations or where countries interpreted SIAs as applying to specific commodity–country combinations. In many cases, however, the absence of publication was a distinguishing feature of SIA compared to GIA; in some cases, it was also integral to the reason for the SIA (in the case of SIAs containing commercially sensitive information). As the draft text for the annex was elaborated, a general consensus had emerged that the term “specific import authorization” refers only to authorizations that are issued to a specific consignee (the importer) and are *not* published, but that the phytosanitary import requirements stipulated in SIAs would be communicated, in turn, by the importer to the exporter and then the NPPO of the exporting country. The EWG had included responsibilities for NPPOs, importers and exporters in the draft annex to this effect.

[177] **Task 5: Describe situations in international trade when the use of specific import authorizations may be appropriate as indicated in ISPM 20.** The EWG had drafted a section in the draft annex, listing the various situations which may be appropriate.

[178] **Task 6: Consider the minimum elements of a specific import authorization and propose a standard model of a specific import authorization.** The EWG had drafted a section in the draft annex

¹⁵ 07_EWG_IA_2021_Feb_JP

listing the minimum elements, but had agreed that a standard model in the form of a template was not feasible because of the differing approaches to SIA taken by contracting parties.

[179] Task 7: Consider whether a period of validity of specific import authorizations would be needed and describe specific situations for its use. The EWG recalled the various comments made about the period of validity during their meeting, including specific examples given in the discussion papers (see agenda item 5) and the recognition that the period of validity is a distinguishing feature between GIA and SIA, with GIA having no specified period of validity (i.e. no expiration date) and SIA nearly always having a specified period. The EWG had therefore included “period of validity” in the list of minimum information needed for an SIA, while recognizing that this period could be open-ended.

[180] Task 8: Consider how to increase the transparency and reduce the impact and discrimination of using specific import authorizations. The EWG had discussed various aspects of transparency during the meeting and had included in the draft annex the responsibility of the NPPO to publish information on regulated articles for which SIA is required.

[181] Task 9: Provide guidance on the circumstances under which specific import authorization could be developed into general import authorization. The EWG had discussed this issue at various points during the meeting, noting that although ISPM 20 encourages the development of GIAs wherever SIAs become routine, this is not always practised by countries. The EWG had agreed that the draft annex should follow the same line as the core text of ISPM 20 in encouraging GIAs to become SIAs when they become routine, but had also expanded this to include two further circumstances.

[182] Task 10: Identify the responsibilities of NPPOs of both importing and exporting countries and describe how the NPPO of the importing country should establish and manage specific import authorization systems, and how specific import authorizations are communicated to the NPPOs of exporting countries. The EWG had included in the draft annex a list of the responsibilities of the NPPOs of importing and exporting countries, and of importers and exporters. The responsibilities of the NPPOs of importing countries included responsibilities related to establishing, managing and communicating SIAs. Specific import authorizations would be communicated to the NPPOs of exporting countries by exporters, who would receive them from importers.

[183] Task 11: Consider whether the annex could affect in a specific way the protection of biodiversity and the environment. The Steward clarified that this is a standard task for the development of any ISPM or annex to an ISPM. The EWG recognized that normally a statement about the impact of the ISPM on biodiversity and the environment would be included in a standard, but thought that it would be unusual for such a statement to be included in an annex. The EWG noted that such a statement does not appear in the core text of ISPM 20, and so concluded that it would not be appropriate to include one in the annex.

[184] Task 12: Consider implementation of the annex by contracting parties, identify potential operational and technical implementation issues, and provide information and possible recommendations on these issues to the SC. The Steward clarified that this is a standard task for the development of any ISPM or annex to an ISPM.

[185] The EWG identified various issues on which further guidance might be useful for contracting parties:

- use of SIAs for articles for which specific import requirements are needed in addition to general import requirements that are applicable to a wider range of articles within the same class or group (e.g. where pathogen testing is required for only a few seed species)
- use of SIAs for articles for which phytosanitary import requirements are anticipated to be subject to changes
- use of SIAs as part of market-access agreements (e.g. to provide assurance about the effectiveness of risk management measures when establishing new market access or to assess the equivalence of phytosanitary measures)

- examples of types of commodities for which SIAs may be appropriate (which could be provided in the form of a table in implementation guidance).

[186] However, they noted that these were issues that either were not suitable for inclusion in a standard (e.g. because they were too detailed), or could not be resolved sufficiently to include in the draft annex, rather than being issues that could arise from implementation of the published annex.

[187] The EWG agreed that they could not identify any operational or technical implementation issues that could arise specifically from implementation of the annex to ISPM 20.

[188] The EWG noted that contracting parties are invited to comment on potential implementation issues during consultation.

7. Any Other Business

[189] The Secretariat explained the next steps in the drafting process. The draft text of the annex as agreed by the EWG would be made available to EWG members soon after the meeting, for information. It would then be edited and submitted to the SC for review. The finalized meeting report would also be made available in due course.

8. Close of the Meeting

[190] The Chairperson thanked the EWG members, the Secretariat and the Rapporteur for their valuable contributions, and the Secretariat in turn thanked the EWG members, the Steward and the Chairperson. The Steward also expressed his gratitude, acknowledging how difficult it can be to draft a standard.

[191] The Secretariat invited all SC members and observers to complete the evaluation of the meeting via this link: <https://www.surveymonkey.com/r/CWCM8WD> by 10 March 2021.

[192] The Chairperson closed the meeting.

Appendix 1 – Agenda

Agenda Item		Document No.	Presenter
1.	Opening of the Meeting		
1.1	<ul style="list-style-type: none"> Welcome by the IPPC Secretariat Introductions 	–	IPPC Secretariat
1.2	<ul style="list-style-type: none"> Presentation of the standard setting process Roles of the Participants 	11_EWG_IA_2021_Feb	SHAMILOV / MUSHEGYAN
2.	Meeting Arrangements	–	
2.1	Selection of the Chairperson	–	IPPC Secretariat
2.2	Selection of the Rapporteur	–	CHAIRPERSON
2.3	Adoption of the Agenda	01_EWG_IA_2021_Feb	CHAIRPERSON
3.	Administrative Matters	–	
3.1	Documents list	02_EWG_IA_2021_Feb	SHAMILOV / MUSHEGYAN
3.2	Participants list	03_EWG_IA_2021_Feb	SHAMILOV / MUSHEGYAN
4.	Review of Specification	Specification 64 – Use of specific import authorizations	FERRO (Steward)
4.1	Considerations for the development of the draft annex on the use of specific import authorizations to ISPM 20	12_EWG_IA_2021_Feb	FERRO
5.	Review of discussion papers	–	CHAIRPERSON
5.1	Discussion paper on the use of specific import authorization (prepared by Japan)	07_EWG_IA_2021_Feb	SHIGEMI
5.2	Implementation of Phytosanitary Import Authorizations (AFIDI) in Argentina	10_EWG_IA_2021_Feb	SPREAFICO
5.3	Australia's approach for the use of import permits	05_EWG_IA_2021_Feb	MPELASOKA
5.4	Specific Import Authorizations in Brazil	08_EWG_IA_2021_Feb	LOHMANN
5.5	United States phytosanitary import permits	09_EWG_IA_2021_Feb	WAYSON
5.6	Criteria used by SAG/Chile for to emit Specific Import Authorizations	06_EWG_IA_2021_Feb	REYES
5.7	Some general points and questions for the IPPC EWG on Specific Import Authorisations (SIA)	CRP_01_EWG_IA_2021_Feb	BISHOP
5.8	Phytosanitary import regulations in Uzbekistan, procedure of import permit issuance	04_EWG_IA_2021_Feb	SULTANOV
6.	Development of text for the draft annex to ISPM 20 <i>Reference documents:</i>		CHAIRPERSON / SHAMILOV
	- <i>IPPC Style Guide and annotated templates (particularly Part 1, sections 2, 3 and 5)</i>	Link to the IPPC Style Guide	
	- <i>ISPM 5 (Glossary of phytosanitary terms)</i>	Link to ISPM 5	

	Agenda Item	Document No.	Presenter
	- <i>Guidelines for a consistent ISPM terminology (Section 3.3.2 of the IPPC Procedure Manual for Standard Setting)</i>	Link to the IPPC Procedure Manual for Standard Setting (2020-2021)	
6.1	Brainstorming session to develop the outline of the ISPM	ISPM 20 (Guidelines for a phytosanitary import regulatory system) A guide to import verification for NPPOs A guide to export certification for NPPOs	CHAIRPERSON / ALL
6.2	Elaboration of the text of the draft annex to ISPM 20	Link to the Annotated template for draft ISPMs	ALL
7.	Any Other Business	–	CHAIRPERSON
8.	Close of the Meeting	–	IPPC SECRETARIAT / CHAIRPERSON

Appendix 2 – Documents list

DOCUMENT NO.	AGENDA ITEM	DOCUMENT TITLE	DATE POSTED / DISTRIBUTED
Administrative Documents			
01_EWG_IA_2021_Feb	2.3	Provisional agenda	2020-12-28
02_EWG_IA_2021_Feb	3.1	Documents list	2020-12-28
03_EWG_IA_2021_Feb	3.2	Participants list	2020-10-19
Review of discussion papers			
04_EWG_IA_2021_Feb	5.8	Phytosanitary import regulations in Uzbekistan, procedure of import permit issuance	2021-01-18
05_EWG_IA_2021_Feb	5.3	Australia's approach for the use of import permits	2021-01-18
06_EWG_IA_2021_Feb	5.6	Criteria used by SAG/Chile for to emit Specific Import Authorizations	2021-01-18
07_EWG_IA_2021_Feb	5.1	Discussion paper on the use of specific import authorization (prepared by Japan)	2021-01-18
08_EWG_IA_2021_Feb	5.4	Specific Import Authorizations in Brazil	2021-01-18
09_EWG_IA_2021_Feb	5.5	United States phytosanitary import permits	2021-01-18
10_EWG_IA_2021_Feb	5.2	Implementation of Phytosanitary Import Authorizations (AFIDI) in Argentina	2021-01-18
CRP_01_EWG_IA_2021_Feb	5.7	Some general points and questions for the IPPC EWG on Specific Import Authorisations (SIA)	2021-02-01
Other documents			
11_EWG_IA_2021_Feb	1.2	IPPC Standard Setting Process (for ISPMs) at a glance with a focus on the EWG	2021-01-27
12_EWG_IA_2021_Feb	4.1	Considerations for the development of the draft annex on the use of specific import authorizations to ISPM 20	2021-01-29

Appendix 3 – Participants list

A check (✓) in column 1 indicates confirmed attendance at the meeting.

	Participant role	Name, mailing address, telephone	Email address
✓	Steward	<p>Mr Ezequiel FERRO Dirección Nacional de Protección Vegetal - SENASA Address: Av. Paeso Colón 315, C.A. de Buenos Aires ARGENTINA Tel.: (+5411) 4121-5091</p>	eferro@senasa.gob.ar
✓	Member	<p>Ms Beatriz Sara SPREAFICO Responsible for the general administration and for the audit of the Phytosanitary Import Authorizations System (Afidí) NPPO-SENASA Address: 367 Paseo Colon Av., floor 6th, ZIP 1063, Ciudad Autonoma de Buenos Aires ARGENTINA Tel.: (+5411) 41215167</p>	bspreafi@senasa.gob.ar
✓	Member	<p>Ms Bussakorn MPELASOKA Director, Plant Import Operations, Biosecurity Plant Division Australian Government Department of Agriculture, Water and the Environment Address: GPO Box 858, Canberra, ACT 2601 AUSTRALIA Tel.: +61 2 6272 4155</p>	bussakorn.mpelasoka@awe.gov.au
✓	Member	<p>Mr Tiago Rodrigo LOHMANN Chief of the Plant Quarantine Division DSV Address: Esplanada dos Ministérios, Edifício Anexo, Bloco D, 3º Andar, Sala 305 - CEP 70.043- 900, Brasília BRAZIL Tel.: +55 61 3218-2981</p>	tiago.lohmann@agricultura.gov.br
✓	Member	<p>Ms Tamara Isabel Gálvez REYES Head of Subdepartment of Import Phytosanitary Regulations SAG Address: Paseo Bulnes 140 Piso 3 CHILE Tel.: +56 569 93693207</p>	tamara.galvez@sag.gob.cl
✓	Member	<p>Mr Samuel BISHOP Head of International Plant Health Policy and risk coordination Defra Address: 11G35, NAFIC, Sand Hutton, York, YO41 1LZ, UK EPPO Tel.: + 44 (0) 2080262506</p>	sam.bishop@defra.gov.uk

	Participant role	Name, mailing address, telephone	Email address
✓	Member	<p>Mr Teppei SHIGEMI Deputy director, Plant Protection Division, Food Safety and Consumer Affairs Bureau Ministry of Agriculture, Forestry and Fisheries (MAFF) Address: 1-2-1 Kasumigaseki Chiyoda-ku Tokyo, 100-8950 JAPAN Tel.: +81-3-3502-5978</p>	tepei_shigemi780@maff.go.jp
✓	Member	<p>Ms Dorothy C. WAYSON Plant Protection and Quarantine (PPQ) Agriculturalist, National Policy Manager Animal and Plant Health Inspection Service (APHIS) Address: 4700 River Road UNITED STATES OF AMERICA Tel.: +1 301-851-2036</p>	Dorothy.C.Wayson@usda.gov
✓	Invited expert	<p>Mr Sultan-Makhmud SULTANOV Head of the International Relations Department State Plant Quarantine Inspection under the Cabinet of Ministers of the Republic of Uzbekistan Address: 17, 1st turn, Bobur street 100100, Tashkent UZBEKISTAN Tel.: +99871 255 7323</p>	sm.sultanov@gmail.com ; glavkaruz@mail.ru

IPPC Secretariat

	Region / Role	Name, mailing, address, telephone	Email address
✓	IPPC Secretariat	<p>Ms Adriana G. MOREIRA OiC for the Standard Setting Unit in daily matters</p>	Adriana.Moreira@fao.org
✓	IPPC Secretariat	<p>Mr Artur SHAMILOV Standard Setting Officer</p>	Artur.Shamilov@fao.org
✓	IPPC Secretariat	<p>Mr Edgar MUSHEGYAN Standard Setting Associate</p>	Edgar.Mushegyan@fao.org
✓	IPPC Secretariat	<p>Ms Erika MANGILI ANDRE Standard Setting Specialist</p>	Erika.MangiliAndre@fao.org
✓	IPPC Secretariat	<p>Ms Karen ROUEN Report writer</p>	karen@karenrouen.com